

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

GLADYS YOLTON, WILBUR MONTGOMERY,
ELSIE TEAS, ROBERT BETKER, EDWARD
MAYNARD, and GARY HALSTED, on
Duggan
behalf of themselves and a class of persons
similarly situated,
75164

Hon. Patrick J.

Case No. 02-CV-

Plaintiffs,
v.

CLASS ACTION

EL PASO TENNESSEE PIPELINE CO., and
CNH AMERICA LLC,

Defendant.

/

**STIPULATED ORDER DISMISSING PLAINTIFFS' CLAIMS AGAINST
CNH AMERICA LLC WITHOUT PREJUDICE**

At a session of said Court, held in the U.S.
District Courthouse, Eastern District
of Michigan, on November 17, 2011.

**PRESENT: THE HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE**

Pursuant to a Tolling Agreement and upon the stipulation of Plaintiffs and CNH America LLC, IT IS HEREBY ORDERED that:

1. Plaintiffs' claims against CNH America LLC are dismissed without prejudice and without costs to either party.
2. As provided in the Tolling Agreement, any defense or bar to Plaintiffs' claims based upon the passage of time, such as statute of limitations or laches, shall be tolled and taken away.

3. As provided in the Tolling Agreement, any defense that CNH America has asserted to liability for Plaintiffs' claims shall be preserved and shall not be compromised.

S/PATRICK J. DUGGAN
PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

I HEREBY CERTIFY THAT A COPY OF THE FOREGOING DOCUMENT WAS SERVED UPON COUNSEL OF RECORD ON THURSDAY, NOVEMBER 17, 2011, BY ELECTRONIC AND OR ORDINARY MAIL.

S/MARILYN OREM
CASE MANAGER
DATED: NOVEMBER 17, 2011

So Stipulated:

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Dated: November 17, 2011

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Dated: November 17, 2011

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